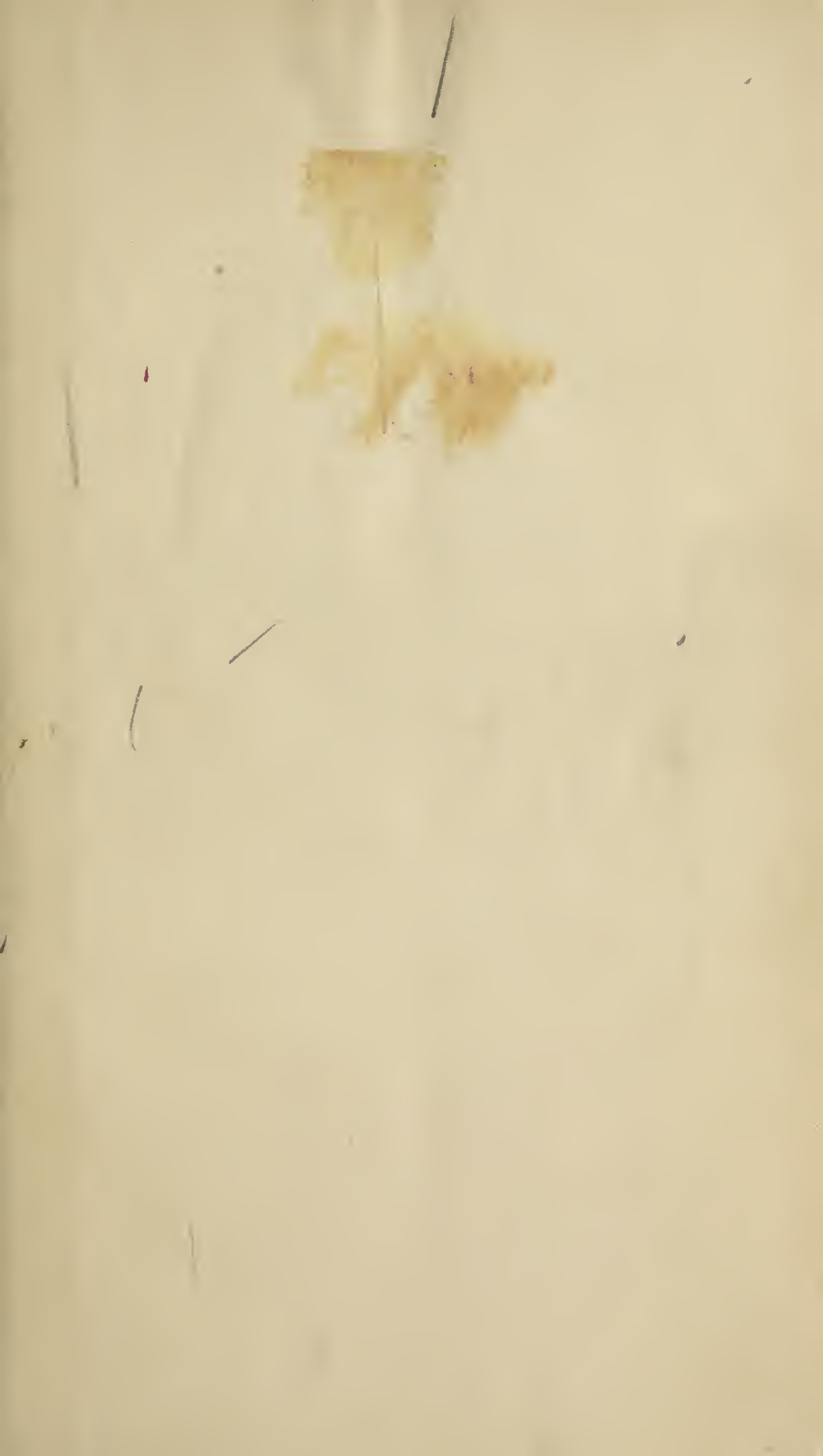


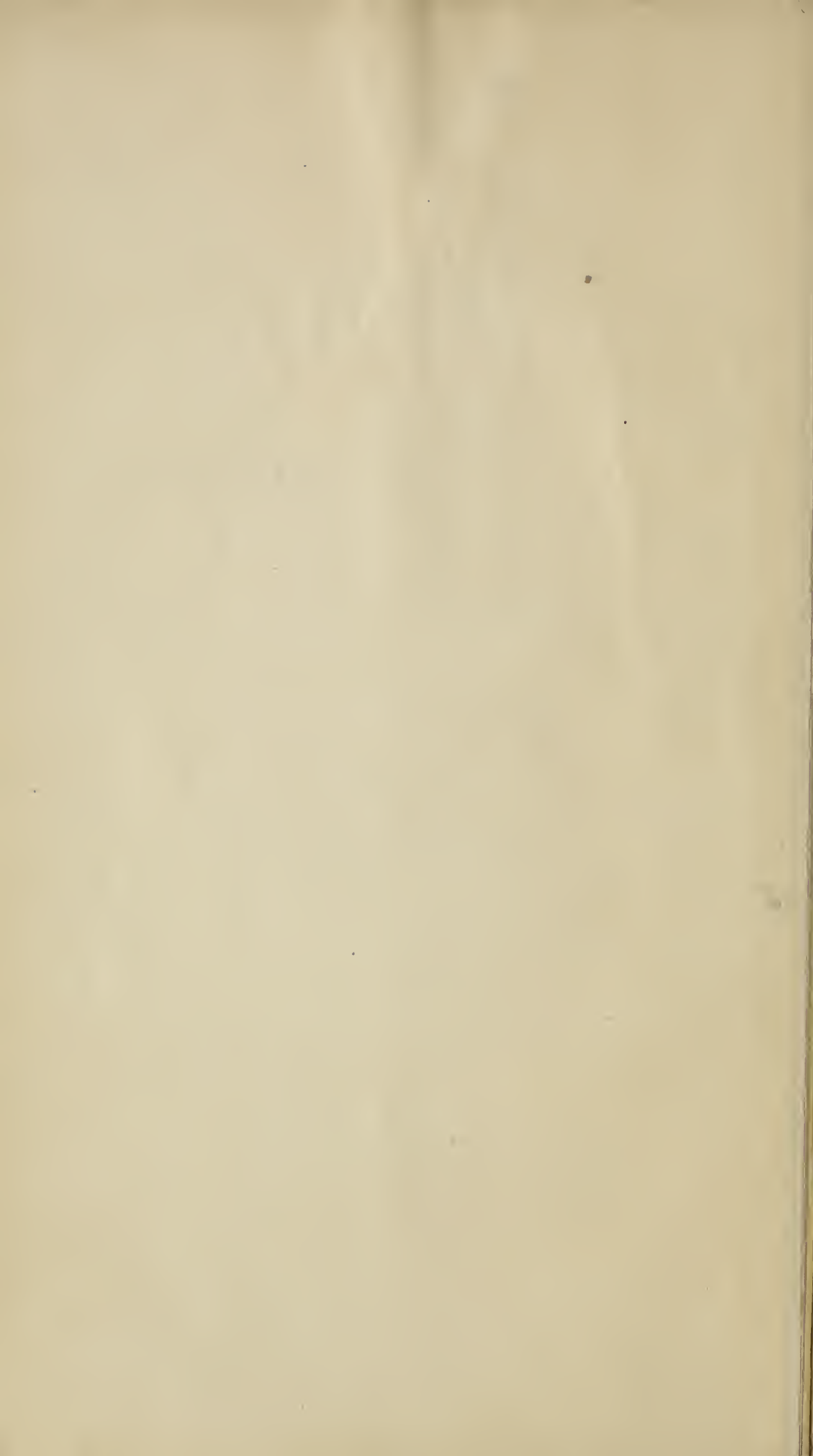


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# Our Relations with America.

A REPLY TO THE ARGUMENTS OF

MR. COBDEN, IN THE HOUSE OF COMMONS,

AS TO THE SUPPLY OF

AMMUNITION OF WAR TO THE BELLIGERENTS;

AND OF

“HISTORICUS” IN THE “TIMES,”

AS TO OUR INTEREST IN

MAINTAINING THE FEDERAL PRETENSIONS OF

INTERNATIONAL POLITY.

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BY THE

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These letters have a wider circulation given to them, to controvert more fully the principles laid down by Mr. Cobden and by "Historicus"—principles which have been very generally accepted, but which, it is believed, will be seen to be fallacious.

## OUR RELATIONS WITH AMERICA.

### LETTER I.

*To the Editor of the Ipswich Journal.*

SIR,—It is extremely important, at the present juncture of affairs, that no false arguments on the great questions connected with our American affairs should pass unchallenged. I beg permission, therefore, to draw attention to one or two arguments uttered by persons of influence in the House of Commons. One argument which has been advanced in support of the principle that we ought to supply the Federals with arms and ammunitions, and refuse ships, whether of war or of transit, to the Confederates, especially deserves notice. Mr. Cobden, its author, referring to the practice of buying and selling and exporting arms and munitions of war, says, “There is no law in this country which prohibits the purchase, sale, manufacture, or export of arms or munitions of war.” And he refers, in support of this principle, to the “admirable passage” of Mr. Jefferson, “who exhausted the whole subject,” in the quotation of Mr. Collier. “Every great authority in that country,” says Mr. Cobden, “clearly and distinctly laid down that the Government is not responsible for the dealings of its citizens and subjects in munitions of war. They carry on that traffic at their own risk if they attempt to run the blockade, but the Government is not responsible.” Nothing can be clearer or truer than this statement. But let us turn to the passage quoted, and see whether it supports Mr. Cobden’s position, that we may supply munitions of war under the form of hardware, to the Federals, but may not supply ships to the Confederates. The quotation from Mr. Jefferson’s letter, employed to support this principle, is as follows: “We have answered that our citizens have always been free to make, vend, or export arms; that it is the constant occupation and livelihood of some of them. To suppress their callings (the only means, perhaps, of their subsistence,) because a war exists in foreign and distant countries with which we have no concern, would be scarcely expected. It would be hard in principle, and impossible in practice.”

Now the simple question we have to ask ourselves here, is, “Is it not as justifiable for our shipbuilders to live by building ships (which may be used for either war or transit), as for our armourers to live by making rifles expressly for war?” What says Judge Story—a great authority? “There is nothing in our laws, or in the law of nations, which forbids our citizens from sending armed vessels or munitions of war to foreign ports for sale. It is a commercial adventure which no nation is bound to prohibit, and which only exposes

“ the persons engaged in it to the penalty of confiscation.” But Mr. Collier quotes, and Mr. Cobden applauds, another passage, which runs as follows: “ A vessel has been fitted out at Charleston, manned there, and partly, too, with citizens of the United States, and received a commission there to cruise against nations at peace with us.” This is the case Mr. Jefferson expressly refers to, and he says in respect to it, “ Without taking all these facts for granted, we have not hesitated to express our highest disapprobation of the conduct of any of our citizens who may——” do what? build ships as a commercial affair? No such thing. “ Who may personally engage in committing hostilities at sea against any of the nations, parties to the present war.” Can any impartial person fail to see that Mr. Jefferson expressly guards himself from uttering a single word which could be construed into an assent to the principle that his Government was to interfere in any way with the fair, open, honest commerce in munitions of war (whatever they may be, whether guns or ships) by which his citizens obtain their occupation and livelihood? It was the personally engaging in hostilities, and that alone which Mr. Jefferson reprobated. *Everything depended on that.* And accordingly we find, in a similar case,—that of De Quincy—quoted by Mr. Collier, that the *intention* was the main subject of enquiry. “ The offence consists principally in the intention with which the preparations were made.” The intention of what? Not as Mr. Collier says, “ a present intention of being employed in the service of a belligerent” for all munitions of war (unless like the wooden razors, they are made for sale, and not for use) are made with a present intention of being employed in the service of a belligerent. The intention to be enquired into is whether one of our citizens departs from his character as a mere trader, making his goods for commercial profit, for whoever chooses to employ him, and assumes the character of a partizan, and, at his own cost, or bribed by others, takes *active hostile measures* against a nation at peace with us. The whole question resolves itself into this, whether our citizens have the present intention before them of “ doing business” or of “ waging war?”

This is the principle clearly laid down by the Americans themselves. And this, too, is the principle which has always been adopted by ourselves in practice. Our ship-builders have built vessels of war for the Russians, and for several other States. But perhaps the most convincing example I can cite is that of our own Government. Our Admiralty has openly,—publicly,—by public tender,—sold vessels of war. These vessels have been bought by Foreign Governments desirous of strengthening their navies. I will refer to one particular case. On the 18th December, 1861, there appeared a public advertisement



that 25 vessels belonging to our Government, then lying at Devonport, aggregate tonnage 17,209 tons, average tonnage 688 tons, would be sold by public tender. All the circumstances as to the Federals and Confederates were the same then as now; there was the same war waging between them, then, as now; they were as much acknowledged belligerents then as now. If that sale was stopped in consequence of the "Trent" affair (which I have not the means of ascertaining) it was stopped solely *as a war measure*, in the immediate anticipation of hostilities, parallel with the embarkation of troops, &c.; and lest our probable enemies should obtain possession of them and use them against ourselves. But for that, they would have been sold *to any comer*, (and for aught I know were so sold,) whether Federals or Confederates. Again, in the immediate anticipation of a declaration of war, a proclamation was issued (expressly a war measure) forbidding the exportation of arms and munitions of war, and 3,000 tons of saltpetre were stopped as they were about to leave the country. As soon as the danger of war was averted, that measure was practically abandoned, and "free trade" was again resumed.

But now in opposition to the the principles expressly laid down by the American Legislators and Judges,—in opposition to the practice of our own Admiralty in their public announcements, we are called upon to supply arms and munitions of war to one party in this war to be used against the other party (equally friendly to us to say the least) and to refuse what is thus proved in theory and in practice to be equally a munition of war, to the other party. And our Government abnegating its sovereignty, instead of acting out its own independent principles of equal justice to both parties, is to be made the tool of a bullying State, under the pretext of a legal quibble of municipal law, with which that other State has nothing whatever to do, in assisting the party against the other. There is but one commonly honest course open to us, (if we are an independent nation, if we are not a province of the United States,) either, at whatever cost of preventive service, both in our ports, and along the whole boundary line between our colonies and either portion of the United States, to prevent a single ounce of anything which can be used for the purposes of war passing either to the Federals or to the Confederates; or, if this be, as President Jefferson said, in his day, "hard in principle, and impossible in practice," then to act out fairly and impartially the principles of perfect free trade laid down by Jefferson himself, enforced by Judge Story's decision, and adopted hitherto (until influenced by the pressure exerted by America upon Lord Russell's senile fears) by this country and this Government.

Walberswick, April 29th, 1863.

E. L. B.

## OUR RELATIONS WITH AMERICA.

## LETTER II.

*To the Editor of the Ipswich Journal.*

SIR,—The excuse for my troubling you with a further letter upon the relations of England and America must consist in the importance of the subject (an importance which will be appreciated by our children in years to come far more highly than at present) and the concurrence of those who constitute themselves the leaders of public thought, in blinking those questions which must, one day or other, be grappled with. The subject I would bring before your attention to-day, is a great principle which is assumed in all the arguments on international relations, but which I trust to be able to show is an erroneous one. It has powerful support. It is openly advocated by Lords Russell and Palmerston, by the "*Times*," and by an author subscribing himself "*Historicus*"; and has received the assent of a considerable majority of both sides of the Houses of Parliament. Nothing but a strong sense of the fallacy of the argument would draw me forth to oppose it.

The argument assumed is this, "That it is for our interest to support Federal pretensions respecting blockades, the seizure of mail-bags, and the building of vessels for belligerents, because thereby we establish a principle of which we shall have the advantage whenever we become belligerents." This has been repeatedly laid down by Lord Russell in Parliament. It is echoed incessantly by the "*Times*." I quote one or two passages. "It is" says that journal "for the interest of England to provide for the stringency of blockades, and the maintenance in full force of the right of search." "It is also our interest to repress practices which would put dangerous arms into the hands of a blockading enemy"—as by building ships for them. "It results from all this, that whilst the Federals can press upon us an apparently *one sided argument*, it can also be urged by their friends and sympathisers that we should be very unwise in resisting them." And "*Historicus*" who writes in leader type, and dates from the Temple, with a great show of judicial authority, repeats the same argument. He says, speaking of the capture of our mail bags, that if we do not allow the Federals to do so, "the whole right of belligerent capture will be defeated"—that foreign nations "will one day reap the advantages of our mistake" in resisting this search. Such resistance, he declares to be dangerous and disastrous to a system, "which Lord Nelson enforced at Copenhagen, and which it is, above all things our interest to vindicate and uphold. Let us assist the American Govern-

“ment in the task it has so well begun, of ratifying by solemn examples, the code it is so greatly to our interest to maintain.” “Let us earn, as prudent neutrals, the right to be potent belligerents.”

Here then, we have clearly laid down the principle, that in international affairs we have only to get a principle established by custom, and that then we can plead that principle for our own advantage. “Historicus” even seems to chuckle at the clever way in which, he thinks, we shall have entrapped America and other foreign nations, at some future time, into a doctrine which will be so advantageous to us. Now this is, in fact, an egregious fallacy. It is confounding the principles of our municipal common law—the laws and customs of England—with those of nations. Principles established in this realm by custom have the authority of law—an authority so great that no individual man dare oppose it. But on what is this authority based? Clearly, on the supreme power of the State, which authorizes the law, to enforce it. *Power* is the basis of all law; “the main strength and force of law consists in the penalty annexed to it,” and the power of enforcing that penalty. The compulsory reason for any citizen obeying any law, however established, whether by custom or statute, is *because the whole power of the State*—the community of citizens, from the Queen to the lowest citizen (as represented in our realm of King, Lords, and Commons) *is engaged to enforce that law*. All the laws, customs, and precedents, have validity from this source alone. But this applies only to the municipal law of this country. No precedent established by the custom of any one nation can bind another, nor even itself, at any other distant period, if at that other period the national judgment should be changed. Herein, then, international law differs in its principles from those of municipal common law. Precedents and customs are valid in the one case, because the sovereign power, to which all in the state bow, can enforce it. In the other case each nation is a sovereign power, and refuses to submit to any other dictates than its own. Each sovereign state will, on any occasion that arises, exercise its sovereign power, irrespectively of any other considerations than those *principles of natural justice* which have irresistible power over *the natural conscience* of the members of that state. If any law has been established by the custom of, either any other nation, or its own at any former period, which shall at the time of consideration appear to be *unfounded on natural justice*, the sovereign power will simply annul that law. And then, who shall enforce it? “Between two nations,” says Blackstone, volume i. p. 193, *et passim*, “complaining of mutual injuries, the quarrel can only be decided” (ultimately) “by the law of arms.” “The rules of the law of nations must necessarily result from those *principles of*

“ *natural justice*, in which all the learned of every nation agree  
 “ \* \* \* in the construction of which there is also no judge  
 “ to resort to, *but the law of nature and reason.*” Vol. iv. p. 67.

International law has force only so far as it compels the natural consciences of the citizens to be parties to the law. *The true secret of its authority is the force of public opinion.* Between nations no laws are valid but such as appeal so strongly to the general sense of natural justice, as to evoke the power of the aggrieved nation to resist their breach. But the power of every state is made up of the energy of its individual members. The sense of justice on either side will increase this individual energy in proportion to the force of the sentiments, and so make that State in which this sense of justice is the strongest, the more powerful of the two, all other disadvantages notwithstanding.

It is this which forms the value of international law, by enabling earnest men to rely on the justice of their cause when oppressed by the arrogance of any other more powerful state. The sense of justice, and its want, increase the power of the one, and paralyzes that of the other, and so equalizes nations of naturally very unequal force.

What, then, becomes of the argument that we are to submit now to what is palpably contrary to natural justice, in order to establish a claim to enforce the same unjust principles in our turn, at some future time?—that we are to allow a foreign nation “to press us very hard, taking all kinds of liberties on the “one hand, and exacting the most rigorous observances on the “other” (see “*Times*”), in the vain hope that we shall thereby establish a right to press hard on, and take all kinds of liberties with, other nations? We may, indeed, gain a plausible pretext for bombarding a fresh Copenhagen, or, perchance, some Chinese or Brazilian port; but who, in his senses, would dream of enforcing in the midst of a war, such an aggressive principle against either France or the Federal States?

But by such empty reasoning it is attempted (with too much success) to cajole us to surrender our Sovereignty into the keeping of the Federal navy—to suffer the broad arrow of our Queen to be violated—to equivocate in the interpretation of our municipal laws. No nation strong enough to assert its independence will long remain patient under such a degradation as that to which our rulers are subjecting us. Alas! the time must come, when, one nation emboldened by impunity, and the other smarting under dishonour, torrents of blood will wash out the feeble errors of Russell and his adherents. Would that the nation aroused itself to avert now, by its manly determination to assert its self-respect, so dire a future catastrophe.

E. L. B.

Walberswick, May 19th, 1863.

## OUR RELATIONS WITH AMERICA.

## LETTER III.

*To the Editor of the Ipswich Journal.*

SIR,—In my last letter I endeavoured to remove a misconception arising from the confusion of municipal and international law. I showed that customs and precedents ruled the former ; natural justice in actual and present circumstances the latter. In the one case precedents can be preserved and followed, because all the individuals in a nation are subject to the Sovereign power of the State, which has both the authority and the power to enforce them on all its members. In the other case, it is one Sovereign power dealing with another Sovereign power. There may be *mala prohibita* in the one case—laws and rules arbitrarily imposed for the common benefit of all its members. In the other case, *mala in re* will alone be regarded. Each Sovereign State is a lawgiver to itself, and the only restraining influence which it recognizes is that law of *natural justice* which, by the answer of each man's conscience to it, gives a weight of enlightened public opinion in favour of, or in opposition to, any proposed course of action. International law differs again from municipal law in this : the latter is the growth of centuries. As changes take place in our community, the laws are *gradually* altered. The Judge administers the law as he finds it—he cannot alter it, whether right or wrong :—but the Legislature steps in to do this work of revision, step by step, from time to time. Thus we have a *gradual* and *continuous* change of our municipal laws. Crimes which were once capital, are now not so : offences which once went unpunished are now made crimes subject to punishment. But International Law is entirely different in its principles. The changes are not fixed and immovable, nor even gradual and continuous, but *sudden* and *discontinuous*. The reason of this is plain. The subjects of a State are numerous (numbering millions), and all bound by a common bond, in submission to one common authority. The Sovereign States, on the other hand, are few, and each independent of the other. They have no common authority. The changes can only be made at intervals of various distances of time ; they are made *at once* when the new occasion arising demands them. The Government of an Independent State is both the Judge which administers the law of nations, and the Legislature which lays down that law, and changes it when, in its wisdom, it judges such change to be proper and right. Independent and Sovereign States, each forming its own judgment on the propriety of actions with reference to the circumstances then before it ;

and guided by common principles of natural justice, will often (perhaps generally) arrive at the same results ; but this is not a compulsory uniformity. Each state lays down the law for itself and follows it so far as its military strength enables it to do so. *The law of nations exists only by the sufferance of nations.* Whatever the law of nations was in past times, it was so then only by the sufferance of nations—in some cases compulsory on the weaker by the stronger ; it is so no longer, except by the continued sufferance of nations. International law *now* is what natural equity and justice under *present circumstances* renders right and fitting for a Sovereign power (which recognizes no other authority) to do. A century hence international law will be what natural right and propriety *then* will demand under the *then* circumstances. And the alterations of such law from now to our centenary anniversary, will be made by the various Governments of the world (not in conclave), but each one separately altering one law or another as it shall appear to that power to be right and fitting in view of the occasion, and as it will be able to assert that law, and compel its observance in its own case. A sense of its justice will induce other nations to acquiesce in the laws laid down. Any attempt by one power to violate natural justice in the changes it introduces, will, by arousing the natural indignation both of its own better citizens and those of the nation against whom the aggression is levelled, draw forth such strong opposition as will (except where the tyranny of might prevails over right) oblige the aggressor to withdraw his pretensions.

How absurd, then, is the notion, that by sacrificing our national independence *now* we are establishing some precedent by which we shall be benefitted at some future time. Let us look at a few passing events in this light. And, as a first example, I will cite the case of the "Alexandra." We have seen (in my former letter) in the case of building ships, either of war or of commerce, for a belligerent, that President Jefferson in his day was bound by no other consideration than the natural justice of the case. What has been *our* conduct ? When the war broke out in America, it was open to us either—1stly, to aid actively the Federals ; or, 2ndly, to aid the Confederates ; or, 3rdly, to observe a strict neutrality, by not allowing either one nation or the other to derive any aid in any way from us in the prosecution of their war ; or, 4thly, to observe this neutrality by throwing open our trade impartially to both. There was no other course open to an honourable nation. If we elected to observe neutrality in the sense of not allowing any arms, guns, ships, ammunition or other stores, to go to either one or other of the belligerents, we were bound to follow out strictly and impartially this course. If natural justice required our State to observe neutrality in this sense, all our municipal laws

must be at once adapted to its furtherance. The assumed necessity of carrying out this principle would have been the reason and the warrant for the extraordinary exertion of power and vigilance used by our home Government to carry it out. Not a ship should be built for either Federals or Confederates; not an ounce of gunpowder, or a single rifle should have been suffered to leave our shores under any pretence for either party. The answer to the complaints of our merchants at the rigid interference with their commercial operations, would have been the necessity of carrying out the principle of natural justice thus laid down. But this would have been both "hard in principle and impossible in practice." It would have been so completely subversive of our national mercantile customs, that no Government in this Country could have ventured to carry it out. Hence we are necessarily obliged to modify our principle of strict neutrality by allowing both parties to come to our ports, for whatever they want without let or hindrance. Our municipal laws should be first considered; and then, our foreign policy—whether of total prohibition absolutely enforced or of an entirely impartial supply to both belligerents—must be guided by the character of our national customs and commercial habits. We had in fact two things to do. 1st, to preserve our municipal laws, for the benefit of our own people, intact, and uninfluenced by foreign disturbances; and 2nd, to act with strict impartiality towards both the belligerents. As we could not comply with both these conditions by means of restriction, which would be opposed to our habits of free and uncontrouled mercantile pursuits, we could only do so by resorting to the other course, that of allowing impartial commerce with them both.

The course Lord Russell has adopted satisfies neither one nor the other of these conditions; it is simply a violation of both, for 1stly, our municipal freedom of commerce is violated in the case of our shipbuilders, whose property is seized at the instance of one of the belligerents,—on the ground of the necessity of interference on account of the war; and 2ndly, our impartiality towards the two sections of a nation at least equally friendly, is violated, by the exports of large stores of arms to the Federals,—on the ground of non-interference with our municipal laws. And the defence of this double violation is, that our Government (which ought to act spontaneously for the preservation of both these principles,—municipal freedom and foreign impartiality) acts not on its own Sovereign responsibility, but as it is urged by the representations of one of the foreign belligerents. It is a part, indeed, of our municipal customs, that between one citizen and another, of our State, our Government should not interfere, except at the instance of one or the other: we have no public prosecutor: but it is a

very different thing to affirm that our Government is only to act, as between Federals and Confederates, but at the instance of one or the other of these foreign powers. This is to abdicate our Sovereignty and place it in the hands of that belligerent which can press us the hardest.

The only answer to this is, that we listen to the representations of the one party, because it is a recognized State; and not to the opposite party because it is not a recognized State. But this very answer convicts us of partiality. For the very fact that the other party cannot be represented at our Court because not recognized, should be the very reason for our recognition of it, that both may be equally and impartially represented.

Then again in the matter of recruiting. This is no light matter. The Statesman knows that important issues are at stake. His anxious thought must ponder the great question of a nation's future. And amongst these elements of thought, he will recognize as one of the most important, that the population of a country (especially its poorer portion) constitutes its military strength. An enlightened Statesman will always guard as rigidly as possible against any emigration by which our population shall be diminished, *without sufficient cause*. On this subject there are other considerations than the mere wealth of the population remaining in the kingdom. Were this the only consideration, we might export the whole of our poor, retaining at home a small population of very wealthy people. Perhaps, for a time, the country would appear flourishing under such circumstances. But this unnatural state of society—that of a nation without poor—would bring its own condign punishment. Such a State would become almost defenceless against those foreign aggressions in our foreign relations by which a country is slowly but surely reduced to poverty and weakness. We might for a time (by the wealth of mechanical means) protect our own shores; yet we should have to abdicate our position as a first-rate nation. Our foreign commerce, subject to whatever repressing causes foreign military strength might impose on our foreign relations, would soon begin to decay. Our wealth “would take itself wings and fly away,” and we should illustrate in our own example what has so often been before illustrated in history, that the strength of a military population must be united to the development of material wealth to ensure the continued prosperity of a nation. The wise Statesman's guiding efforts will be directed to ensure that whilst we grow rich (which every one for himself will endeavour to accomplish) we grow also in numbers, by which the national force and strength is preserved, and by which the increase of wealth is made secure and permanent.



It is for this reason that our ancestors jealously guarded against emigration in their edicts "ne exeat regno." And though, for the purposes of facilitating commercial intercourse, all such restrictions on free egress and ingress to a kingdom have been removed, yet the principle of the conservation of our military strength of population must remain a guiding one in a Statesman's judgment. And here we see the conflict of opposing advantages. The individual citizen may often remove to wider lands with advantage to himself. Productive land (whether on its surface or in its bowels) is the main element of wealth. And where those lands are most abundant, there may the individual citizen often reap the greatest personal advantage. But whilst our Statesmen suffer thus shiploads of emigrants to depart from our shores for these benefits, it is not an unmixed advantage. It is a yielding to a necessity which should be to himself a subject both of regret and humiliation; of regret that the nation is necessarily weakened by this exodus; of humiliation that we have not been able by wise and prudent forethought to obviate the necessity for it. The guiding motive which permits this emigration is the benefit of the individual emigrating.

Now what are the facts with respect to the present Irish emigration into the Federal States? To appreciate these facts we must, for a moment, consider the conditions of American society. In that country are wide lands, the main element of their wealth. This wealth pours in its advantages from the Western States into the Eastern. The present war, so far from oppressing the commercial classes in America, is a positive benefit in the present, and is conducted for obtaining a further benefit, by compelling the South to contribute also her quota to the wealth of New York and Philadelphia. To prolong the war is the interest of the merchant: the future taxation (whether or not it be repudiated) will not injure him. If he pays the taxes it will be but a per centage on the profits of his war business; if the debt be repudiated, the fundholder is also the merchant who holds his "green back" assignats, as a part of the profits of his speculations,—as contractors take shares as a part payment of their contracts—which he can well afford to lose. The Western States, revelling in the wealth of new productive lands, which can bear with perfect ease any burden laid upon them for any object which pleases their taste, will remain also indifferent to the present prospect of future taxation, so long as they can see any future advantage in the continuance of the war. They know very well that they can, at a future day, either pay these charges out of the profits of their broad acres (the charges will not form an English landlord's rent for one year on their rent-free lands), or, if it suit their convenience better, they can repudiate the debt, form themselves into a fresh

Confederacy, and leave the Eastern States to settle the debt as they like.

What, then, will hinder the Federals from carrying on the war, *ad libitum*? Clearly the chief cause will be *the want of men sufficiently poor to be induced to go forth to fight*. The comfortable but hardy farmers have long ceased to feel such an interest in the war as to go forth themselves to fight. The wealthy New York traders and manufacturers will not go. The well paid mechanics and artizans will not go. The only requisite then of the Federal Government, to carry on its projects of bloody war, are men. They must therefore seek for men to fight, and they must seek for these in foreign lands.

But just as it is for *their* advantage to drain other countries of the raw material of armies, for their objects, so it is for the disadvantage of these other countries to be so drained. These last are made by this process, militarily, and consequently politically, weak. The first duty, then, of an English Statesman is to watch that no Foreign State thus sucks our national life-blood. But what do we find? That it is Great Britain which is virtually giving the gold-thirsty men of New York, callous as they are to the horrors of a monthly and weekly slaughter, with the continual drain of life-blood, so long as they can suck gold out of the blood of perishing myriads,—it is she who is virtually giving to these men the very means of carrying on this cruel slaughter for their ignoble purpose. It is Great Britain which supplies both the powder and the food for powder. It is our fellow-countrymen who are first impoverished for the convenience of America, and made *fit* for emigration,—*fit* for the American recruiting sergeant's purposes. It is our fellow-countrymen who then perish that New York merchants may make fortunes out of "green backs." It is the raw material of our military strength which is thus being drained from us. Our Irish fellow-countrymen are shipping off by thousands for this bloody purpose. The immigration into the United States, we are informed by statistical accounts, is double what it was before the war. Thousands reach New York every week to be draughted into Federal regiments. We read of emissaries from America practically and really recruiting for their armies under the flimsiest pretences.

It may be said that we exaggerate the importance of a few thousand poor men being shipped off to America. Thoughtless men will even think it a good riddance. But we must remember that it has been through such a continual drain of emigration that America has acquired, and hopes further to acquire, the means to menace us. And we must remember, too, that the first fruits of the final success obtained through this instrumentality will be to place us, thus militarily weakened, at the mercy of the State we have thus militarily strength-

ened ; and (as an argument to the pocket) that war ensuing, by any necessity, in this drained condition of ours, must be greatly more expensive when we must bribe, by high rewards, soldiers into our armies.

It may be said, again, that we cannot help our citizens departing, if they are so disposed. But the Statesman's duty is to remember the purposes for which this free emigration is permitted,—for the mutual benefit of those of our citizens who depart, and those who remain. Our Government should permit this only for the common benefit of all our citizens. But it is a very different thing to allow another nation by its emissaries to influence our poorer and more ignorant fellow-countrymen thus to depart from our shores, allured by the wages of iniquity,—thus to denationalize themselves for these foreign purposes. The very fact that our fellow-countrymen (for the Irish are such) are known to be thus employed—fighting the battles of another State—should be the reason for our Government to step in and declare that, the purposes for which free emigration is sanctioned, having been prostituted, it must prevent this abuse by any steps, however stringent, which may be necessary. It is our duty to counteract by energetic measures the temptation to emigrate: to enlighten emigrants as to the real objects for which they are wanted, and as to the fictitious value of the wages offered. Above all, it is our duty to punish severely any foreign emissary who may offer any incentive to such emigration.

So important is this principle of the conservation of our military strength, that if all other means failed to repress this exodus of our people, it would be a sufficient reason, taken alone, for recognizing the Southern States, and declaring to the Northern States that we cannot suffer a war to continue with our concurrence, which is sacrificing by thousands our countrymen and weakening our military strength. If our countrymen are to perish, let them perish in the cause of their country's honour, not in a cause foreign to us and revolting to humanity.\*

The cases of the exportation of arms, and of men—our fellow countrymen—are entirely different. We can supply to North and to South as many guns, or ships, or stores, as they may choose to buy, for these things are unlimited in their quantities. We can supply these without hurting ourselves. But we cannot drain our population to supply their carnage, because the numbers of our population is the element of our military strength. We can supply them with ships, because there is no probability of those ships being employed against ourselves. We can supply guns and powder because there is no immediate prospect that we shall want these for ourselves, and the reason—

\* “When this brigade” (the Irish brigade) “took the field it was 5,000 strong; it now numbers less than 400 men.”—*The Times*, June 3rd. Telegraphic Intelligence.

able conclusion is that before such a contingency as that of requiring them ourselves arrives, they will have exhausted those supplies (however much we may deplore such expenditure), and we shall have produced abundantly more. But we cannot give our poor deluded fellow countrymen—deluded by glittering prospects of high wages—into the fearful condition of subjects of a criminal slaughter. No price can pay for *that* sacrifice. If it need be that we must encounter the horrors of war to defend our national interests, our independence, and our honour, we will, all of us, bear our share of the burden. Our brave sons will flock to our standards, our equally brave, though tender-hearted, women will be Florence Nightingales, our merchants and our fundholders will submit to losses and taxation,—’tis in a holy cause: but we cannot give our fellow countrymen to be food for powder in a cause unholy in its design of oppression; and unholy in the means adopted for its execution, and from which our best instincts revolt with disgust.†

But our Government permits our population to be drained away by thousands for this purpose. They seem to be supremely indifferent to our country’s impoverishment and degradation, if only it be done ‘*according to form*,’ oblivious that the great question is one of *fact* and not of *form*. Do the men, or do they not, leave our shores, and become afterwards recruits in an army, whose professed object is Universal Empire and Dominion? The answer to this question is the answer to the enquiry whether we are maintaining in this matter our Sovereignty and our National interests. When in the Crimean War we attempted to obtain men from the United States, what was the conduct of the American Government towards us?

E. L. B.

Walberswick, June 4, 1863.

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† “We wish to reserve the pugnacity of Irishmen for the time when “some more worthy enemy calls for it to be exemplified.” (Lord Palmerston’s speech on the Volunteers Bill.) Is the cause of the Federals the “more worthy” cause?

## OUR RELATIONS WITH AMERICA.

## LETTER IV.

*To the Editor of the Ipswich Journal.*

SIR,—Then with respect to blockades. International law in this respect, too, will be entirely independent of precedents of a former age. As there is no Parliament of Nations, and never can be, there are no other means of altering the law of blockades, and adapting it to the requirements of new times and new circumstances, than by the expression of the will of a great nation, who finds itself injured by the operation of the old law. Of all the questions of international polity, this question of blockades does appear to us to be the most easily solved, when the true principles of international law are applied to it. The case is simply that of the conflict of Sovereign rights, a conflict which can easily be adjusted. The Federal States have an assumed Sovereign right to blockade Charleston, and every other port of the Confederates; and these last have in their turn, both the right to evade or break that blockade (which they may do with perfect honour) and to blockade their enemy's ports whenever they can. It is one of the unfortunate necessities of war.

Neutral merchants have a right with perfect honour to risk a loss in breaking the blockade. They accept the chances of war for the sake of the profit; just as a newspaper reporter at the seat of war accepts the chances of war for the same profits' sake; the one risks his goods, the other his life by some stray shot or other casualty. But how is a belligerent to use this Sovereign right? By infringing on the Sovereign rights of a neutral how and when she pleases? Certainly not. The principle is simple in the extreme. It is a case of the adjustment of the Sovereign rights of each power. The Federals are so to use *their* Sovereign right of blockade as not to interfere with *our* Sovereign right of freedom of the seas. We might push our own rights to the extent of declaring that we would have free access to Charleston, that in fact we would not submit to the inconveniences of the blockade. We might urge, with great justice, that *we* had no quarrel with the Confederates, and that we would not be debarred from intercourse with them. It is a mere matter of courtesy in any neutral power to respect a blockade. There is no *intrinsic reason* either of law or justice why we should do so. The only reason for doing so, is that of courtesy in one State towards another State with which it is in amicable relations. With this view and for

this reason, we waive a part of our natural right of free access, to the extent of foregoing it with respect to any particular port. But whilst courtesy to one of the belligerents may be a reason for not asserting our natural right of free access to the other belligerent also on friendly terms with us, we must not carry our courtesy so far as to be discourteous to the other. We must do nothing and submit to nothing which *helps* the blockader against the blockaded.

On the other hand, the blockader forgetting that he is permitted to be such only by the courtesy of other nations, may push his assumed rights of blockade so far as, by the exercise of, it to interfere not only with our commerce with that particular port, but with our general commerce either with other ports of the belligerent not blockaded, with neutral ports, or even with our own. Such a course of action would be the highest assumption of overbearing superiority which one friendly nation could show to another. But this is what the Federals are doing now towards us, thus completely invading our National rights. Our merchantmen cannot transact business with Matamoras, a neutral port, for fear of a Foreign power which virtually interdict us, contrary not only to natural justice, but even to the established customs of past ages on which some so much rely. The duty of our Government acting both as judge to administer International Law, and as legislator, to determine that law, is, to resist such an invasion of our rights of Sovereignty under whatever pretext assumed. We have only to say to the Federals, "If you blockade Charleston or other ports of your enemy, although that enemy is our friend, you must not molest us in our rightful avocations. You are not, under the pretext of a blockade of your enemy, a necessary act of war—necessary as you think, for you, but certainly not necessary for us—you are not, under that pretext, to *usurp the mastery of the seas.*" If for reasons of international courtesy we submit to the blockade, we have the undoubted right to limit that courtesy by such conditions as may appear just and right to *us*. For instance, we may determine what space of sea room around a blockaded port we will submit to be excluded from. Without presuming to determine that space here—which should be done with serious deliberation, and with a jealous watchfulness both of the neutral rights of free navigation, and of courtesy towards the blockaded—a duty as much incumbent upon us as courtesy to the blockader—we may assume for the purpose of illustration, a radius of five and twenty or, of fifty miles from the given port, where it is upon the Atlantic, and far removed from any neutral port; and where any blockaded port is nearer than double that distance from a neutral port, the interdicted distance might be, say, half the distance between the blockaded and the neutral port, so

that there may be free access of neutrals to neutral ports.‡ As soon as our Government determine these conditions, and promulgate them to the nations concerned, they become international law so far as ourselves and those nations are concerned. It is a solemn declaration of the extent to which we will permit our natural rights to be limited by international courtesy.

Closely connected with this subject of blockades is that of the right of search for contraband of war. This pretension, too, as now exercised, is totally opposed to natural justice. Because one nation has a quarrel with another, does it give that nation any natural right to molest and interrupt other nations at peace with her in the rightful prosecution of her business? Surely this were to make another enemy. We formerly asserted such pretensions of mastery over the seas, and we maintained those pretensions by force of arms. But it was an usurpation. Having obtained this power over the seas, whatever else was supposed necessary to our advantage followed of course. It was only necessary to find plausible pretexts for any acts we performed (and what course cannot be justified by the aid of "expediency"); and so we found a reason for interfering with the natural liberty of other nations to pursue their course unmolested, and for overhauling their vessels. Some nations asserted their independence, and resisted these encroachments on their natural rights. We silenced them by bombarding Copenhagen. They had to submit because they were obliged. We attempted a similar usurpation against America, and only added to our difficulties by creating another belligerent against us; which is what would occur again if we repeated the attempt. But this bombardment of Copenhagen was not justice. It was mere might. We did it because we were the strongest naval power on earth, and were unrestrained by any considerations of natural justice: and we may do it again, when we are again stronger than the rest of the world in arms, and are at the same time careless of the considerations of natural justice: but not before. America, for one State, will not let us do this again. The dream of the resumption of these pretensions is characterized as much by folly in expecting what is impossible, as by guilt in desiring what is unjust. It was a wrong done by us, for which we have to blush. But whilst we blush with shame for this gross outrage on common justice; we do not wish now to *do penance* for this *past act*, by submitting, in our turn, to the same domination by another. To admit the pretensions of the Federal Union in this respect would be, in fact, to acknowledge

‡ The whole principle of naval blockades is now entirely altered by the altered facilities of land transit. Formerly the blockading of the ports of an enemy was the interdicting of all external supplies to that enemy. Now, it can only enhance the price of those supplies by overland transit through a neighbouring country. Of course, it ruins the enemy's shipping trade. The most important use which remains, is that of shutting up his warships within his ports, and so rendering them useless.

her to be mistress of the seas. We may be willing to resign that pretension ourselves, but surely we are not willing, besides, to assign it to another.

But the Federals are usurping this position. We are told that "their Judges have decided (!) that their vessels of war "may overhaul any vessel (*although they have not attempted to run the blockade*) to ascertain whether they contain contraband of war." So that, by this decision, if we acquiesce in it, the Federal Navy is to have the same control over our merchantmen, that our police officers have over suspected thieves. Not only may they capture our vessels when running the blockade, but they may stop us in our course wherever we may be, and subject us to the very same indignity with which a police officer treats a ticket-of-leave (perhaps on the principle that we are Adams' tickets-of-leave) an indignity to which no honest and independent man will submit, without protest, even from the Supreme State under which he lives. If it be said this is a necessary duty of maintaining the police of the seas, we answer that police regulations suppose a supreme power to enforce police authority. Are we content to resign our Sovereignty, and allow to the Federals this supreme power over us? The simple result of this decision, if acquiesced in, is to hand over to the Federals the entire command of the seas. For by the most perfectly logical consequence they have only to get up some little war with some small power, to declare the ports of that power blockaded, and then, they may stop, by their harassing interference, all commerce, in anything they may choose to consider contraband of war, carried on by all the other nations of the earth, transfer the profits of commerce into their own hands, and so ride dominant over the world. It will be a glorious project for Seward. It will suit the magnificent notions of New York. They may, in fact, establish a "perpetual blockade of the world." Monstrous as this conclusion appears, it is the logical consequence of the assumption they are making. It will be no answer to this, that the world would not submit to this. For the Cabinet of Washington would be well content to waive pushing its pretensions to their ultimate conclusions, enforcing it only upon *us*, and obtaining the mastery over *us*. A sufficient benefit will be obtained, if by the exhibition of such lofty pretensions, they succeed in encroaching step by step upon our rights, stopping indeed when we resist (but without retracing their steps), only to advance another step when the momentary ebullition of indignation is past. §

§ We learn that one such temporary cessation of encroachment has now arrived in the removal of Admiral Wilkes from his station. This is owing entirely to the mutterings of the storm which would otherwise have burst over the heads of the Washington Cabinet at an inconvenient time. The advancement of the pretensions is permanent—the courteous waiving of the pretension is temporary.



Has our Government sufficiently reflected on the *effects* of accustoming our sailors in every sea to fear the power of this bully? The secret of our success in our old naval battles was the triumphant assurance of success. Our sailors *despised* every enemy. The possibility of defeat was scouted. When we have accustomed our seamen to submit to be overhauled by a triumphant force; to see that we dare not exact reparation for what their plain common sense will teach them is an invasion of our Sovereignty (in whatever words they may express it); when they see that our armed forces remain quiet whilst an armed force (as the mistress of the seas) overhauls our submissive vessels; when they turn over in their simple straightforward thoughts that we should not permit the Chinese or the Brazilians to do so: that it is only the Federals who dare—with the haughty air of their officers, and the sarcastic ill-repressed (if repressed at all) sense of superiority of their men—thus dishonour the British flag, they will learn what they never learnt before—to *fear*. With the same rapidity as the triumphant assurance of their own superiority will run through the Federal Navy, to encourage them to deeds of daring, with the same rapidity will fear and dread run through our own to dishearten and demoralize. Sailors are but men, subject to the common influences of humanity. We may live to see the result of this two-fold operation fatally illustrated.

What is the secret motive animating the minds of our rulers? *Is it the disinclination to encounter the labour, care and anxiety which a war would impose upon them?* Surely they will not sell their Country's honour for their mere personal comfort. This were to sell their birthright for a mess of pottage. If Lords Russell and Palmerston are too old to encounter such labours, they have one honest course to pursue. This sentiment of the dread of war, from whatever cause, crops up every now and then. In a leading article (May 28th) of the "Times" (which may be considered the organ of the Government) we are told "*We will not imitate the confidence of the American tone in their prognostications. Considering that we have to operate at a distance of several thousand miles, that iron-sides are a novelty, &c., we are not so sure that we should raise the blockade so easily as Mr. Roebuck expects.*" So that the permission of the blockade, which ought to be a concession of international courtesy, is to be wrung from us by fear. Again, in the same article "This, however, would not be the whole of our work. We should have to protect our coasts, our ports, our rivers, and our shipping, not only at home, and in North America, but all over the world." What! Are we not strong enough to protect ourselves? Then it speaks of "*difficulty*," and the "*chance of defeat*." It speaks (and that seriously, too) of "*poor mother country*,"

acknowledges that our own arrogance of former days is now exchanged for the endurance of the arrogance of the Americans towards ourselves, and points to the duty "to be content to see and hear"—like the frightened hare instead of the British Lion—like the frogs in the fable whilst the bulls are fighting. So we are reduced to this, that we cannot pursue an independent course of conduct befitting a Sovereign power, but must become the mere tools of an overbearing State because of the *chance of defeat* if we assert our independence; we dare not do what is just and right because the arbitrament of war to which an insulting foreign Government threatens to drive us, is a conclusion we dare not meet. Will not Englishmen indignantly deny so foul a slander? No. The fears exist not in the breasts of the mass of our countrymen, they exist only in the breast (never very brave, and now assailed by the timidity of age) of Lord Russell. But this reason of fear is seriously offered as an argument for submitting to the dictation of the Federals, in *the very same article* which tells us that they have "ever since they found themselves prosperous, adopted "the law of numbers and force." "They *claimed to do, and actually did* whatever they could, might, or would." "Their successive annexations" (by which they added to their numbers and force, and so strengthened themselves to bully the rest of the world) "were simply irregular occupations, justified by the flimsiest political pretences, and secured by arms." It tells us, that "the half of this planet would have a different code of right, truth, justice and decency from the other half" (*i.e.* our own old world), "if the Federals could carry out their project of the subjugation of that vast continent," and yet we are to stand by, and see this great evil attempted by the coercion of the Confederates, and, under threats and coercion towards ourselves, are to give our reluctant aid to the Federals in this scheme of theirs, because we dare not encounter the chance of war with this bullying tyrant.

Surely these are powerful reasons (apart from any regard towards them) to recognize the Confederate States. France or Russia may keep silence; their national honour is not invaded, their marines are not driven off the seas, their national mercantile customs are not infringed; their military strength is not exhausted by the suction of the life blood of their populations. But England cannot remain silent without dishonour. I speak not of the South *quâ* South. I speak of our own national interests and honour, and I say that these demand the immediate recognition of the South as an established Confederacy, and the most active measures to bring this war to a speedy close. According to the course we now pursue, will result bloodshed and ruin, or peace with its smiles and its blessings. Our recognition fifteen months ago, in concert with France, would have

averted much bloodshed. Our immediate recognition now, by declaring the subjugation of the South an established impossibility, would fix the public opinion of America upon thoughts of peace before the next Presidential Elections arrived. Peace would be the Candidates 'card.' By persisting in our present absurd course, we make it the future Candidates' policy to make subjugation their motto, and so ensure another quaternion of war. Every consideration leads to one conclusion, the expediency and justice of recognizing the Confederate States. Whether we consider the balance of power, by which two great and independent States shall exist on the American Continent, instead of one "vast Confederation" menacing the world; whether we consider the commercial advantages of recognizing and supporting a nation, which by its agricultural tendencies would become one of our best customers, whilst the Federals will be only *rivals*, and not customers; whether we consider the real present interest of the Slave, and his future chance of emancipation; whether we consider the interests of humanity at large by thus contributing to the stoppage of human bloodshed; whether we consider our own national interest in protecting our myriads of countrymen from poverty and emigration, from a foreign slaughter for a vile purpose; whether we consider the advantage of establishing international polity on a secure basis of natural justice; whether we consider the advantage of influencing American public opinion in favour of peace before a fresh Presidential Election; whether we consider the duty of giving to each section of the States an impartial representation in this country; all these considerations point to one only course—the present and immediate recognition of the Confederate States, and the active determination to bring this fearful bloodshed to an end. Will the nation any longer accept as an answer to these weighty considerations the one empty statement that "*the time has not yet come*" for recognition? Will it not demand a clear distinct enunciation of the principles on which that good coming time is to be determined? What hinders now?

Of course, it is well understood, that our Government could not thus reject the voice of the unanimous intelligence of the country, if there were an active opposition. But with a Conservative Leader, who cares not for the sweets of office, we are left to the caprice of a man, who, in the whole course of his foreign administration, from the affair of Vienna downwards, has proved himself too narrow-minded and short-sighted for the post he occupies. It remains only for independent members of both sides of the house to coalesce for the purpose of protecting our national interests and our national honour.

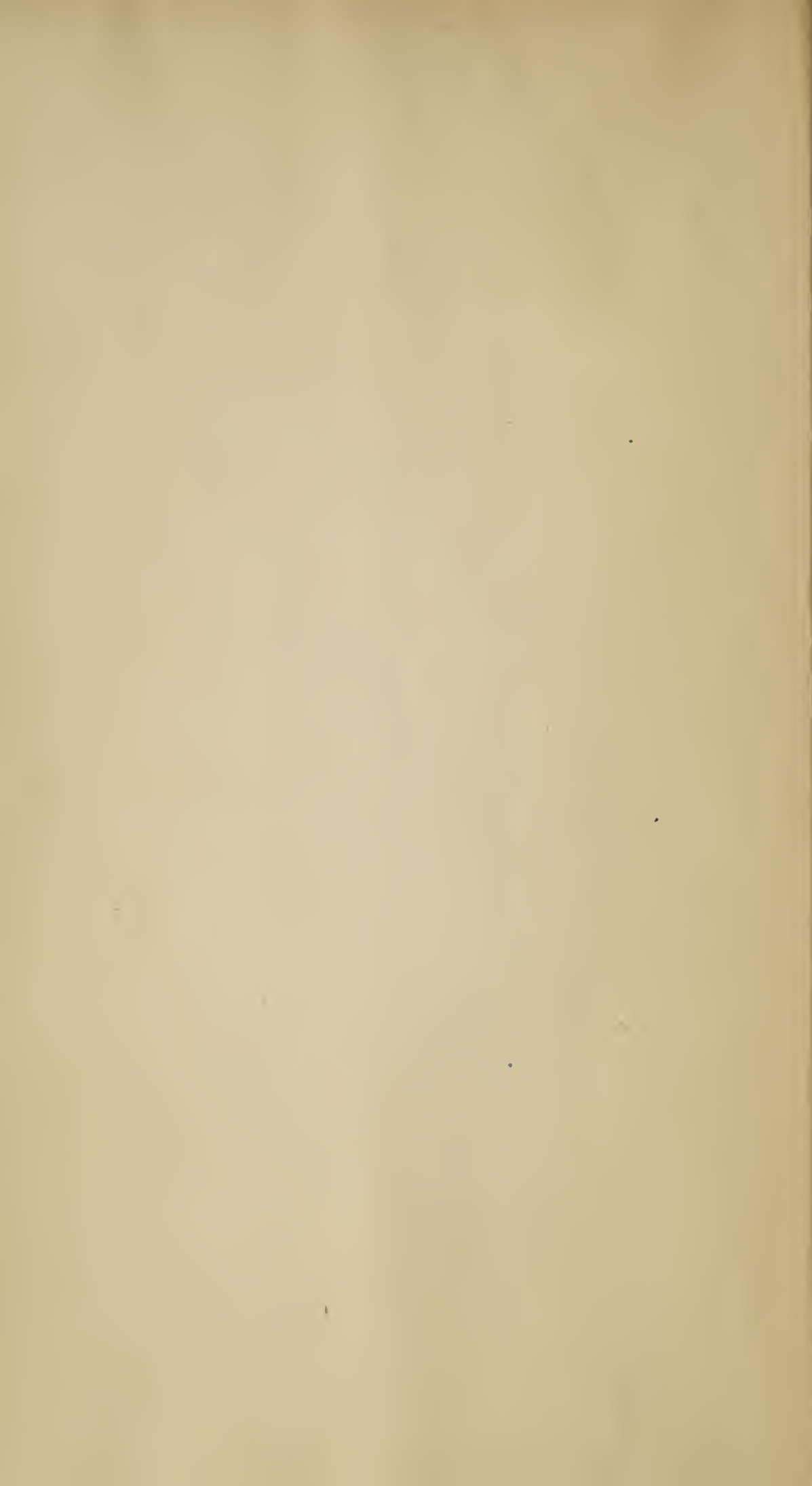
E. L. B.

Walberswick, June 18th, 1863.

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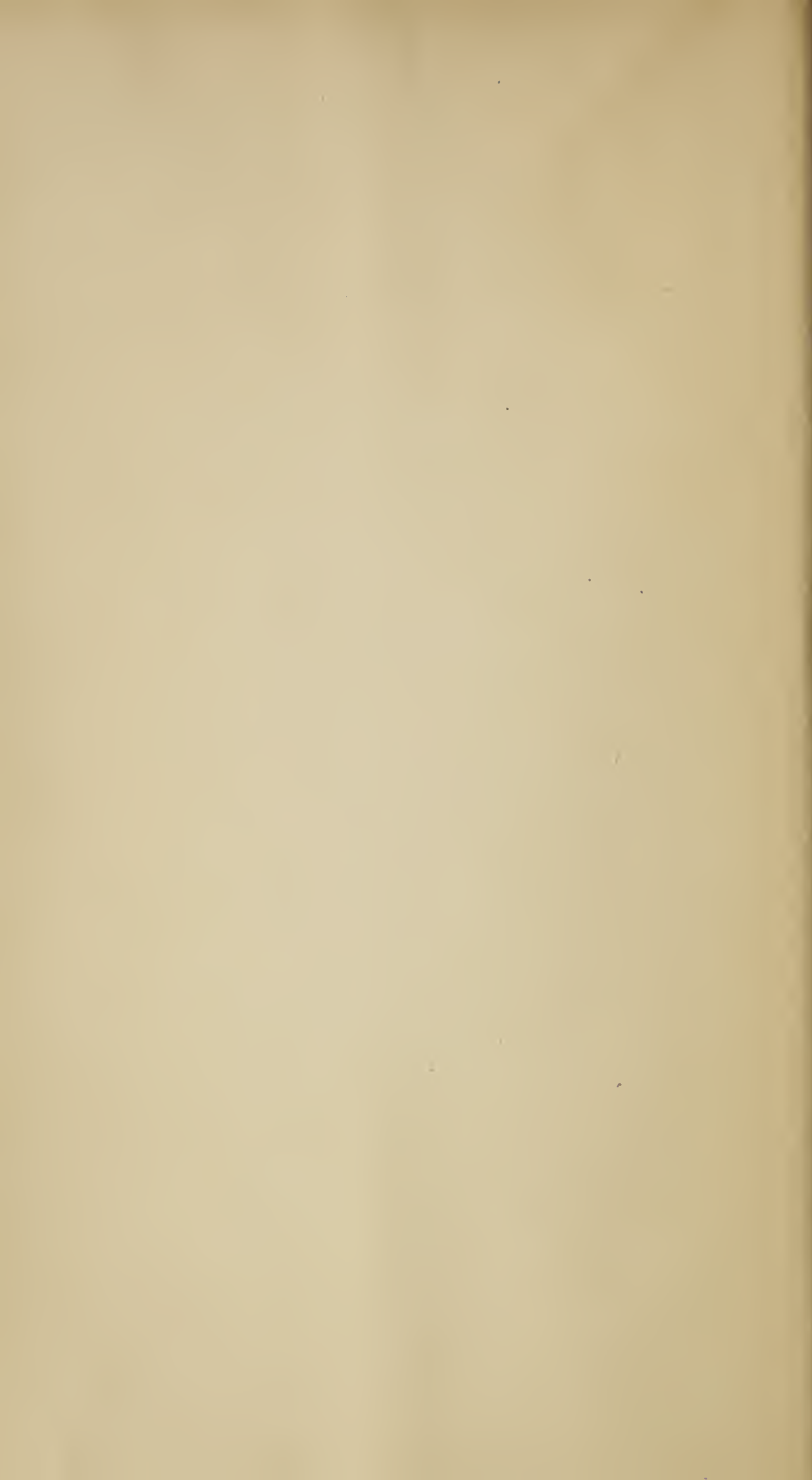


















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